

Let's start on Tuesday by going to the polls and exercising our fundamental American freedom.

Thanks for listening.

NOTE: The address was recorded at 12:35 p.m. on November 3 in the Green Room at the Moscone Convention Center for broadcast at 10:06 a.m. on November 4. The transcript was made available by the Office of the Press Secretary on November 3 but was embargoed for release until the broadcast.

Memorandum on Providing Patient Protections Through Final Regulations on Internal Appeals and Information Disclosure

November 4, 2000

Memorandum for the Secretary of Labor

Subject: Providing Patient Protections Through Final Regulations on Internal Appeals and Information Disclosure

In 1997, I appointed you and Secretary of Health and Human Services, Donna E. Shalala, to co-chair the Advisory Commission on Consumer Protection and Quality in the Health Care Industry (the "Quality Commission"). Through the extraordinary efforts of you and Secretary Shalala in bringing together a broad and diverse group of commission members, the Quality Commission identified numerous shortcomings related to consumer protections in the Nation's frequently evolving health-care delivery system.

Among numerous problems within the health-care delivery system, the Quality Commission specifically cited that tens of millions of Americans with private health insurance do not have access to a fair and timely appeals process. More specifically, under the Employee Retirement Income Security Act (ERISA), 130 million Americans with employer-sponsored health plans lack the protection of a meaningful internal appeals process when plans deny benefits for health care. Health plans making benefit decisions often do not have the medical expertise to make such decisions and appeals of these decisions can take as long as 300 days. As a consequence, countless Americans have been

harmed by inappropriate delays and denials of benefits.

The Quality Commission recommended that the benefit appeals and information shortcomings, which hurt American patients and their families, be addressed through a Consumer Bill of Rights. Such improvements were an important element of a broader array of patient protections including a right to see a specialist, a right to receive emergency care, and a right to continue ongoing medical treatment without disruption. Since the release of the Quality Commission's findings, my Administration has been working with a bipartisan group of Members of Congress who are committed to enacting these and other critical protections, such as holding health plans accountable when they take actions that injure patients.

As we have worked to pass a bipartisan, enforceable Patients Bill of Rights, you have held public hearings that confirmed the need for a wide range of protections, with a particular focus on those protections my Administration can extend by executive action: a fair and timely process for internal appeals and meaningful information disclosure to consumers. With my concurrence, you have not implemented these protections because of our mutual belief that it would be far better to establish them in the context of broader protections that would be included should the Patients Bill of Rights be passed by the Congress. Unfortunately, it now appears clear that this Congress will not pass a meaningful and enforceable Patients Bill of Rights this session. With this in mind, I hereby direct as follows:

You shall in the next 2 weeks promulgate final regulations protecting millions of individuals with employer-based health coverage. The regulations shall establish a fair and unbiased process for reviewing medical benefits claims, require timely coverage and appeal decisions, and direct plans to provide meaningful information to patients advising them of their rights to the appeals process.

This memorandum is not intended to create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, or instrumentalities, or any other person.

William J. Clinton

**Remarks at a Bronx County
Democratic Committee Rally
in New York City**

November 4, 2000

The President. Thank you. Wow! Are you ready to win this election?

Audience members. Yes!

The President. I want to begin with a set of thank-you's. I thank the Bronx for being so good to me and Al Gore and Hillary and Tipper these last 8 years. I thank Fernando Ferrer, who started with me in late 1991, when only my mother thought I could be elected President. [Laughter] I thank Roberto Ramirez for his strong leadership here and his friendship. I thank your Congressman, Jose Serrano, who has been with me for 8 years in Washington, DC.

I want to thank your State comptroller, Carl McCall, for his great leadership and great—[inaudible]. I thank the members of the senate, the members of the assembly, the members of the council that are here. I understand Congressman Joe Crowley from Queens is here to sing the national anthem and to make sure I'm not the only Irishman here today. I thank you. [Laughter]

Now look, I'm tempted just to give you one applause line after another. This is the best chanting crowd I've heard in a long time. [Laughter] But Roberto said, you know, you've just got 4 days, and those 4 days will determine 4 years, maybe 8 years, maybe the next 20 years of our Nation's life. So I want to ask you to indulge me just a couple of minutes while I talk about where we're going. Because for all of you here—and it's a great crowd—the truth is, you've all got a lot of friends who have never been to an event like this. Is that right? [Applause] There's our State party chair, Judith Hope. Thank you, Judith, for being here. Thank you.

But you've got a lot of friends who have never been to hear the President speak, right? Never been to a Democratic meeting in the Bronx, never heard Hillary or Vice President Gore or anybody. But they'll vote. Or they might vote if they know clearly what the choice is and what the consequence is for their families and their community and their country.

So I just want to say a few things to you from the heart. You have been very good to me. And America is better off than it was 8 years ago. But what I believe is that this election is every bit as important as the election we had in 1992. And it is very important to realize that we're not just voting for people; we're also voting for a set of ideas about how our country should work.

You know, Fernando Ferrer said this—I want to say it again—I always wanted you to feel, even whether you agreed or disagreed with me, that you had somebody in the White House who was on your side, somebody who understood what your lives were like, and your hopes and your dreams, and was pulling for you and trying to help you make your lives better.

Now, 8 years ago Al Gore and I promised that if you would give us a chance to serve, we would put people first. We tried to create opportunity for every responsible citizen in a community in which every American had a part. This year the American people have to decide to put our country and our children first, at a time of unprecedented prosperity. And the truth is, sometimes it's harder to make a good, clear decision when times are good than when they're tough.

I mean, I know New Yorkers took a chance on me in '92. I know that. I remember when the incumbent President kept referring to me as the Governor of a small southern State. [Laughter] Remember when he said that? And I was so naive at the time, I thought it was a compliment. [Laughter] The truth is, I still do. [Laughter]

But hey, give me a break. It wasn't that much of a chance. The country was in the ditch. We had to change, right? But now things are going well.

So there are three big questions that have to be asked and answered. And what I'm going to ask you to do is to take every spare minute you've got between now and the time the polls close to talk to all the people you know who are not here today and have never come to one of these things but could show up, because that could make the difference.

I just got back from California. I'm going back to Arkansas tomorrow. All over the country, I've never seen an election like this. There are 12 or 13 States where the election